

1 LEONGUERRERO_B.gar5

FILED
DISTRICT COURT OF GUAM
MAY 24 2002
MARY L. M. MORAN
CLERK OF COURT

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF GUAM
8

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 BRIAN S. LEON GUERRERO,

13 Defendant,

14 NIPPON RENT-A-CAR,

15 Garnishee.
16

CIVIL CASE NO. 02-00005

17
18 ANSWER OF THE GARNISHEE

19 SEAN M. PHILLIPS, BEING DULY SWORN DEPOSES AND SAYS:
20 (Affiant)

21 IF GARNISHEE IS AN INDIVIDUAL:

22 That he/she is Garnishee herein doing business in the name of _____
23

24 (State full name and address of business)

25 IF GARNISHEE IS A PARTNERSHIP:

26 That he/she is a member _____ of a partnership

27 composed of which Garnishee is a partner.

28 //

ORIGINAL

1 IF GARNISHEE IS A CORPORATION:

2 That he/she is the (State Official Title) TREASURER of Garnishee,

3 NIPPON RENT-A-CAR SERVICE OF GUAM, INC a corporation, organized under the laws of the

4 TERRITORY OF GUAM

5 IF GARNISHEE IS A GOVERNMENT ENTITY:

6 State name and address of agency, and name and official title of authorized
7 representative: _____

8 _____

9 _____

10 _____

11 1. On MAY 14, 2002, 2002, Garnishee was served with the
12 Writ of Continuing Garnishment. For the pay period in effect on the date of service (shown
13 above)

14 Yes No

15 x _____ Defendant was in my/our employ.

16 Pay period is weekly _____, bi-weekly x, semi-monthly _____, monthly _____.

17 The Defendant's present pay period began on MAY 6, 2002.

18 (Present means the pay period in which this order and notice of
19 garnishment were served)

20 The Defendant's present pay period ends on MAY 19, 2002

21 Enter amount of net wages. Calculate below:

22 (a) Gross Pay \$ 677.70 (Pay Period 4/22-5/5/02)

23 (b) Federal income tax 0.00

24 (c) F.I.C.A. income tax 45.18

25 (d) State/Local income tax _____

26 Total of tax withholdings \$ 45.18

27 Net Wages \$ 632.52 (a less total of b,c,d)

28 //

1 Yes No
 2 x 2. Are you aware of any other garnishments, suggestions or levies currently
 3 in effect. If the answers is yes, please attach to this Answer a copy of each
 4 garnishment, suggestion or levy.
 5 x 3. Do you or will you in the foreseeable future, owe the defendant money? If
 6 your answer is yes, please provide the amount of money you will owe, the
 7 date or dates on which each payment is due, and the reason why you owe
 8 or will owe the money to the Defendant:

Type of Payment	Amount	Date of Payment is Due
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

4. If you currently have in your custody, control or possession property (other than earnings) in the form of savings accounts, pensions, thrift plans, etc., in which the Defendant maintains an interest, for each item of property provide the following information:

Description of Property	Approximate Value	Description of Debtor's Interest
1. <u>401(k) PROFIT SHARING PLAN</u>	<u>\$8,498.92</u>	<u>\$6,324.95</u>
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

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1 5. For each item of property (other than earnings) which you expect to obtain
2 custody or possession of in the foreseeable future, provide the following information:

3 <u>Description of</u>	<u>Approximate</u>	<u>Description of</u>	<u>Date you will</u>
4 <u>Property</u>	<u>Value</u>	<u>Debtor's Interest</u>	<u>obtain property</u>
5 1. <u>N/A</u>			
6 2. _____			
7 3. _____			
8 4. _____			

9
10 Yes No
11 x 6. Do you make any claim of exemption on the part of
12 Defendant? If yes, please explain the nature and
13 basis of your claim:

14 _____
15 _____
16 _____
17 _____

18 Yes No
19 x 7. Do you have any objections to the garnishment of
20 the Defendant? If yes, please explain the nature and
21 basis of your objection:

22 _____
23 _____
24 _____
25 _____

26 //
27 //
28 //

1 8. Check the line below if you deny that you hold property subject to this order of
2 garnishment:

3 _____ [The Garnishee was then in no manner and upon no account indebted or
4 under liability to the Defendant, BRIAN S. LEON GUERRERO, and that
5 the Garnishee did not have in his/her possession or control any property
6 belonging to the Defendant, or in which the Garnishee has an interest; and
7 is in no manner liable as Garnishee in this action.]

8 9. The Garnishee mailed a copy of this answer by first-class mail to (1) the Debtor,
9 BRIAN S. LEON GUERRERO, P.O. Box 5235, Hagåtña, Guam 96932 and (2) the attorney for
10 the United States, Robert W. Pearson, Special Assistant United States Attorney, U.S. Attorney's
11 Office, Sirena Plaza, Suite 500, 108 Hernan Cortez Avenue, Hagåtña, Guam 96910-5059.

14 NIPPON RENT-A-CAR
15 Garnishee

16 By:

17 SEAN M. PHILLIPS
18 Name of person preparing Answer

19
20 The foregoing instrument was acknowledged before me this 24th day of May,
21 2002.

